

Mental health matters when it comes to crime, according to a recent survey.

By Don Butler, Canwest News Service July 10, 2010

OTTAWA — Nearly four in 10 Canadians think people who break the law should be convicted of crimes, even if their mental states meant they didn't know what they were doing or what they were doing was wrong.

The finding comes from the 2009 survey, used by Justice Canada to collect in-depth, timely public opinion on current and emerging themes. The latest survey focused on mental health issues — the first time public-opinion research has ever been carried out on the topic of mental health in the criminal justice system.

“This research provides policy-makers with a better understanding of how the public views mental-health issues,” said the survey report, which was released without fanfare this week on a government website. To compile the survey, Decima Research polled 4,008 Canadians by telephone between Nov. 16 and Dec. 9, 2009.

While 44 per cent of Canadians agree that people should not be convicted of crimes if their mental competency prevented them from knowing what they were doing, nearly as many — 37.9 per cent — disagree. (Another 18 per cent neither agree nor disagree.)

At the same time, more than three-quarters agree that it's important for the courts to consider the mental competency of those charged when a crime is committed.

And nearly as many agree that in passing sentence, it's important to consider what the perpetrator's mental health was at the time of the crime.

The findings suggest that the public seems to view violent crimes committed by those with mental illness in a different light than non-violent crimes.

Nearly seven in 10 say those deemed unfit to stand trial or not criminally responsible because of mental disorders for non-violent crimes should be reintegrated back into society when detention in a hospital is no longer necessary for public safety.

But just 41.9 per cent feel that way about those in similar circumstances who commit violent crimes.

Six in 10 agree there should be alternatives to the regular criminal-court process for people charged with violent crimes who have mental health or developmental disorders. When it comes to non-violent crimes, the numbers who favour an alternate process jumps to nearly three-quarters.

Despite the Harper government's tough-on-crime agenda, the survey found there has been little change in public confidence in the criminal justice system in recent years.

In 2009, 77.5 per cent reported high or moderate levels of confidence — up from 70 per cent in 2008, but virtually identical to the level found in the 2007 survey.

There was an improvement in public confidence in the youth criminal justice system, however, with 71.5 per cent expressing some degree of confidence, compared to just 59 per cent in 2008 and 67 per cent in 2007.

The survey results are considered accurate to within 1.6 percentage points, plus or minus, 19 times out of 20.

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